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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,699	05/27/2005	Masato Doi	112857-470	8615
29175	7590	08/10/2006	EXAMINER	
BELL, BOYD & LLOYD, LLC			MCCLELLAND, KIMBERLY KEIL	
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1734

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/511,699	Applicant(s) DOI ET AL.	
	Examiner Kimberly K. McClelland	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 36-39, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Publication No. WO02/08463 as evidenced by corresponding U.S. Patent No. 6,872,635 to Hayashi et al. in view of U.S. Patent No. 5,426,342 to Nakamura et al.
3. With respect to claim 36, Hayashi et al. discloses embedding other-side devices (3) arranged on a first substrate into an adhesive layer (7) provided on a second substrate (6) where one-side devices (8) are embedded in the adhesive layer; and stripping the other-side devices from the first substrate thereby holding the other-side devices in an embedded state in the adhesive layer (See Figure 2A-2F). However, Hayashi et al. does not disclose using pressure sensitive adhesive. Nakamura et al. discloses a method of manufacturing a fluorescent display device, including using a heat sensitive and pressure sensitive adhesive layer (column 4, lines 45-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the pressure sensitive adhesive, taught by Nakamura et al., with the element transfer method disclosed by Hayashi et al. The motivation would have been to use an adhesive with good volatility and satisfactory adhesion (Nakamura et al., column 4, lines

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45-53). Therefore, it would have been obvious to combine Nakamura et al. with Hayashi et al. to obtain the invention as disclosed in claim 36.

4. As to claim 37, Hayashi et al. discloses the one-side devices and the other-side devices have different characteristics (See paragraph 0126).

5. As to claim 38, Hayashi et al. discloses the one-side (8) devices and the other-side devices (3a) are held in the embedded state in different areas on the substrate (See Figure 2D).

6. As to claim 39, Hayashi et al. discloses embedding devices (42) arranged on a first substrate (41) into a adhesive layer (45) provided on a second substrate (43, See Figure 10); stripping the devices from the first substrate thereby holding the devices in an embedded state in the adhesive layer (See Figure 11), and hardening the adhesive layer (See paragraph 0157); forming first electric wirings (46) on the adhesive layer, adhering a third substrate (47) onto a side on which the first electric wirings are formed of the adhesive layer, and stripping the second substrate and the adhesive layer from each other (See Figure 12); and providing adhesive layer with openings (65, See Figure 16) reaching the devices, filling the openings with a conductive material (49), and forming second electric wirings (63, 64) on the adhesive layer. However, Hayashi et al. does not disclose using pressure sensitive adhesive. Nakamura et al. discloses a method of manufacturing a fluorescent display device, including using a heat sensitive and pressure sensitive adhesive layer (column 4, lines 45-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the pressure sensitive adhesive, taught by Nakamura et al., with the element transfer

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method disclosed by Hayashi et al. The motivation would have been to use an adhesive with good volatility and satisfactory adhesion (Nakamura et al., column 4, lines 45-53). Therefore, it would have been obvious to combine Nakamura et al. with Hayashi et al. to obtain the invention as disclosed in claim 39.

7. As to claim 41, Hayashi et al. discloses embedding one-side devices (42) arranged on a first substrate (41) into a adhesive layer (45) provided on a second substrate (43, See Figure 10), and stripping the one-side devices from the first substrate thereby holding the one-side devices in an embedded state in the adhesive layer (See Figure 11); further embedding other-side devices arranged on the first substrate into the adhesive layer (See paragraph 0170), and stripping the other-side devices from the first substrate thereby holding the other-side devices (62) in an embedded state in the adhesive layer, where the one-side devices are embedded in the adhesive layer; hardening the adhesive layer where the one-side devices and the other-side devices are held in the embedded state in the adhesive layer (See paragraph 0157); forming first electric wirings on the adhesive layer (46), adhering a third substrate (47) onto the side on which the first electric wirings are formed of the adhesive layer, and stripping the second substrate and the adhesive layer from each other (See Figure 12); and providing the adhesive layer with openings reaching the one-side devices or the other-side devices, filling the openings with a conductive material (49), and forming second electric wirings on the adhesive layer (63, 64, See Figure 16). However, Hayashi et al. does not disclose using pressure sensitive adhesive. Nakamura et al. discloses a method of manufacturing a fluorescent display device, including using a heat sensitive

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and pressure sensitive adhesive layer (column 4, lines 45-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the pressure sensitive adhesive, taught by Nakamura et al., with the element transfer method disclosed by Hayashi et al. The motivation would have been to use an adhesive with good volatility and satisfactory adhesion (Nakamura et al., column 4, lines 45-53). Therefore, it would have been obvious to combine Nakamura et al. with Hayashi et al. to obtain the invention as disclosed in claim 41.

8. As to claim 42, Hayashi et al. discloses the one-side devices and the other-side devices have different characteristics (See paragraph 0170).

9. As to claim 43, Hayashi et al. discloses one-side devices and the other-side devices are held in the embedded state in different areas on the second substrate (See Figure 16).

10. Claims 40 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Publication No. WO02/08463 as evidenced by corresponding U.S. Patent No. 6,872,635 to Hayashi et al. in view of U.S. Patent No. 5,426,342 to Nakamura et al. as applied to claims 36-39, and 41-43 above, and further in view of U.S. Patent Application Publication No. 2003/0227253 to Seo et al.

11. With respect to claim 40, Hayashi et al. discloses an element transfer method, including using light emitting devices as elements (See paragraph 0170). Nakamura et al. discloses the use of a pressure and heat sensitive adhesive to adhere the elements to a substrate. However, Hayashi et al. and Nakamura et al. do not disclose driving

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methods. Seo et al. discloses display is carried out through simple matrix driving by impressing a voltage on the devices through the first electric wirings and the second electric wirings (See paragraph 0016). It would have been obvious to one of ordinary skill in the art to combine the driving method of Seo et al. with the element transfer method, disclosed by Hayashi et al. and the pressure sensitive adhesive taught by Nakamura et al. The motivation would have been to cause electroluminescence (Seo et al., See paragraph 0051). Therefore it would have been obvious to combine Seo et al. with Hayashi et al. and Nakamura et al. to obtain the invention as disclosed in claim 40.

12. As to claim 44, Hayashi et al. discloses an element transfer method, including using light emitting devices as elements (See paragraph 0170). Nakamura et al. discloses the use of a pressure and heat sensitive adhesive to adhere the elements to a substrate. However, Hayashi et al. and Nakamura et al. do not disclose driving methods. Seo et al. discloses display is carried out through simple matrix driving by impressing a voltage on the devices through the first electric wirings and the second electric wirings (See paragraph 0016). It would have been obvious to one of ordinary skill in the art to combine the driving method of Seo et al. with the element transfer method, disclosed by Hayashi et al. and the pressure sensitive adhesive taught by Nakamura et al. The motivation would have been to cause electroluminescence (Seo et al., See paragraph 0051). Therefore it would have been obvious to combine Seo et al. with Hayashi et al. and Nakamura et al. to obtain the invention as disclosed in claim 44.

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13. As to claim 45, Hayashi et al. discloses one of the one-side devices and the other-side devices are any one of display devices and driving circuit devices (see paragraph 0170).

14. As to claim 46, Hayashi et al. discloses an element transfer method, including using light emitting devices as elements (See paragraph 0170). Nakamura et al. discloses the use of a pressure and heat sensitive adhesive to adhere the elements to a substrate. However, Hayashi et al. and Nakamura et al. do not disclose driving methods. Seo et al. discloses display is carried out through active matrix driving by impressing a voltage on the display devices by the driving circuit devices. (See paragraph 0016). It would have been obvious to one of ordinary skill in the art to combine the driving method of Seo et al. with the element transfer method, disclosed by Hayashi et al. and the pressure sensitive adhesive taught by Nakamura et al. The motivation would have been to allow for drive at a low voltage (Seo et al., See paragraph 0052). Therefore it would have been obvious to combine Seo et al. with Hayashi et al. and Nakamura et al. to obtain the invention as disclosed in claim 46.

Response to Arguments

15. Applicant's arguments, see page 5, paragraph 4, filed 7/28/06, with respect to the rejection(s) of claim(s) 36-46 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the PCT publication of the Hayashi reference.

Response to Amendment

16. Applicant's after final amendment submitted 7/28/06 had been admitted.

Conclusion

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly K. McClelland whose telephone number is (571) 272-2372. The examiner can normally be reached on 8:00 a.m.-5 p.m. Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris A. Fiorilla can be reached on (571)272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim McCullord

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